

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
CRIMINAL CASE NO. 2:13-cr-00017-MR**

UNITED STATES OF AMERICA,

Appellee,

VS.

JESSIE C. JENKINS,

Appellant.

ORDER

THIS MATTER is before the Court on the Appellant’s “Notice of Appeal – Sentence” [Doc. 2].

On December 13, 2011, the Appellant Jessie C. Jenkins was issued a citation for hunting hogs with dogs during a closed season at night, in violation of 36 C.F.R. § 261.8(a). [Violation Notice, Doc. 1 at 1]. On June 10, 2013, the Honorable Dennis L. Howell, United States Magistrate Judge, found the Appellant guilty of this offense and sentenced him to a term of imprisonment of 30 days. [Judgment in a Criminal Case, Doc. 1 at 2]. The Appellant, who was represented by counsel before the Magistrate Judge, filed a timely Notice of Appeal from the Magistrate Judge's Judgment on June 21, 2013. [Doc. 2].

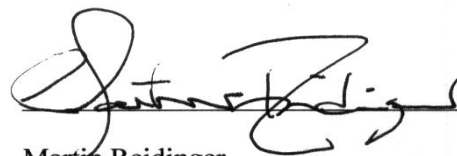
A timely notice of appeal having been filed, the Court therefore will enter a scheduling order for the briefs on appeal. The Court further will stay the Appellant's sentence of imprisonment pending the resolution of this appeal. See Fed. R. Crim. P. 38(b)(1); Fed. R. Crim. P. 58(g)(3).

IT IS, THEREFORE, ORDERED that the Appellant shall file his brief on appeal on or before thirty (30) days from the entry of this Order. The Appellee shall file its brief on or before thirty days (30) from the filing of the Appellant's brief.

IT IS FURTHER ORDERED that during the pendency of the appeal, the execution of the sentence of imprisonment is stayed.

IT IS SO ORDERED.

Signed: July 1, 2013


Martin Reidinger
United States District Judge

